

[VOL. IV, September 18, 1986]

R.C.C. NO. 86

Thursday September 18, 1986

OPENING OF SESSION

At 9:56 a.m., the President, the Honorable Cecilia Muñoz Palma, opened the session.

THE PRESIDENT: The session is called to order.

NATIONAL ANTHEM

THE PRESIDENT: Everybody will please rise to sing the National Anthem.

Everybody rose to sing the National Anthem.

THE PRESIDENT: Everybody will please remain standing for the Prayer to be led by the Honorable Lugum L. Uka.

Everybody remained standing for the Prayer.

PRAYER

MR. UKA.: Bismillah Ir Rahman ir Rahim.

Most Merciful and Compassionate Almighty God, we who are gathered here humbly ask for Thy Mercy, love and guidance to enable us to write a constitution that shall bring about unity, democracy, justice, peace and prosperity for all our people, Muslims, Christians and tribal communities alike.

As we approach the last days of our great mission in writing the fundamental law of our land, we ask Thee, O God, to guide us to be patient and tolerant of each other's views that we may succeed in our great mission. Help us to follow Thy Ten Commandments, among which is "Thou shalt not kill."

Inspire us, O God, with the noble thought that we are all members of one great family with a common goal or objective in making our dear country a worthy member of the family of nations.

We thank Thee, O God, for all the inspiration and guidance You have given all of us during all our plenary sessions and we are happy with the thought that with Your guidance, we shall succeed in our great mission. Amen.

ROLL CALL

THE PRESIDENT: The Secretary-General will please call the roll.

THE SECRETARY-GENERAL, *reading*:

Abubakar

Present*

Natividad

Present*

Alonto	Present [*]	Nieva	Present
Aquino	Present [*]	Nolledo	Present
Azcuna	Present [*]	Ople	Present
Bacani	Present	Padilla	Present [*]
Bengzon	Present	Quesada	Present [*]
Bennagen	Present	Rama	Present
Bernas	Present	Regalado	Present
Rosario Braid	Present	Reyes de los	Present
Calderon	Present [*]	Rigos	Present
Castro de	Present	Rodrigo	Present
Colayco	Present	Romulo	Present
Concepcion	Present	Rosales	Present [*]
Davide	Present	Sarmiento	Present [*]
Foz	Present	Suarez	Present
Garcia	Present [*]	Sumulong	Present
Gascon	Present	Tadeo	Absent
Guingona	Present	Tan	Present
Jamir	Present	Tingson	Present
Laurel	Absent	Treñas	Present
Lerum	Present	Uka	Present
Maambong	Present [*]	Villacorta	Present [*]
Monsod	Present	Villegas	Present

The President is present.

The roll call shows 32 Members responded to the call.

THE PRESIDENT: The Chair declares the presence of a quorum.

MR. RAMA: Madam President.

THE PRESIDENT: The Floor Leader is recognized.

MR. RAMA: I move that we dispense with the reading of the Journal of yesterday's session.

THE PRESIDENT: Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

APPROVAL OF JOURNAL

MR. RAMA: Madam President, I move that we approve the Journal of yesterday's session.

THE PRESIDENT: Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

MR. RAMA: Madam President, I move that we proceed to the Reference of Business.

THE PRESIDENT: Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REFERENCE OF BUSINESS

The Secretary-General read the following Communications, the President making the corresponding references:

COMMUNICATIONS

Letter from Phan Quang Dan, MD, DrPH, Former Deputy Premier of South Vietnam, P.O. Box 11452, St. Thomas, US Virgin Islands 00801, USA, expressing his opinion that too frequent elections tend to destabilize the political conditions and make it difficult for the Executive to implement its programs, suggesting therefor that a presidency of two seven-year terms might be the best formula to consolidate stability.

(Communication No. 923 — Constitutional Commission of 1986)

To the Committee on the Executive.

Letter from Mr. Antonio C. Pastelero, 5th Floor, Alexander House, 139 Amorsolo St., Legaspi Village, Makati, Metro Manila, proposing that in submitting the new Constitution, the choice should not be limited to ratifying or rejecting it, but on whether our people prefer to return to the 1935 Constitution, or to adopt the new one.

(Communication No. 924 — Constitutional Commission of 1986)

To the Committee on Amendments and Transitory Provision.

Letter from one R.A. Tuvilla of Davao, suggesting that in order to enhance the easy approval of the proposed Constitution during the plebiscite, a question should also be asked whether or not they favor President Aquino to continue in office as President of the Philippines.

(Communication No. 925 — Constitutional Commission of 1986)

To the Committee on Amendments and Transitory Provisions.

Communication from Mr. Eugenio A. Antonio, Jr., Chapter Commander, First District of Negros del Norte Chapter, Veterans Federation of the Philippines, submitting the Federation's Resolution No. 04-86, requesting the exclusion or deletion from the draft Constitution the issue of the removal of the American bases in the Philippines after 1991.

(Communication No. 926 — Constitutional Commission of 1986)

To the Committee on Preamble, National Territory and Declaration of Principles.

Letter from one Nitnit Mongaya-Hoegsholm Strand-hojsvej 12, 3050 Humlebaek, Denmark, urging the Constitutional Commission to incorporate in the Constitution the provision that the separation of the Church and the State shall be inviolable as embodied in the 1973 Constitution and as understood historically and jurisprudentially in the Philippines.

(Communication No. 927 — Constitutional Commission of 1986)

To the Committee on General Provisions.

MR. RAMA: Madam President.

THE PRESIDENT: The Floor Leader is recognized.

CONSIDERATION OF PROPOSED RESOLUTION NO. 537
(Article on the Declaration of Principles)
Continuation

PERIOD OF SPONSORSHIP AND DEBATE

MR. RAMA: I move that we continue the consideration of Proposed Resolution No. 537 on the Article on the Declaration of Principles.

THE PRESIDENT: Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

MR. RAMA: Madam President, the parliamentary situation is that the period of interpellations has been closed except for a reservation made by Commissioner Ople. So I ask that Commissioner Ople be recognized.

THE PRESIDENT: The Chair requests the honorable chairman and members of the Committee on Declaration of Principles to please occupy the front seats.

We will extend to Commissioner Ople the same privilege granted to the other Members in the previous days of interpellations, with a request, however, that we abbreviate as much as possible the speeches and also the replies of the members of the committee. In other words, the issues that had already been discussed and brought to the floor can just be omitted so as to abbreviate our proceedings.

MR. OPLE: Thank you, Madam President.

Sections 1, 2, 3 and 4 of the committee report on the declaration of principles are closely interrelated and undoubtedly linked together in the perception of the sponsoring committee. I think basically they deal with two paramount issues — national security and national sovereignty. So far, the record of the debates shows that Members of the Commission who have participated differ in their fundamental perceptions of sovereignty and security. These differences must be seen against the contemporary historical realities in which we live and act out our respective individual political beliefs, including the very prestige of this constituent assembly.

As far as a great many of our countrymen are concerned, these realities can be summed up in one word — the threat of a communist takeover of our country. Let us not deny that this threat looms large in the minds of many of our countrymen. This is considered an imminent danger that our people already react in two ways: fight or flight.

Many in the middle class have already sent their families to the United States and others are holding their visas close to their chest, just in case. Young officers of the Armed Forces of the Philippines are getting restive, as they receive reports of their one-sided casualties in the field when they are told to fight defensively while the government promotes an atmosphere of conciliation and restraint during the ceasefire negotiations. Just the other day, past midnight, 150 NPA troops raided an army detachment, wounded several soldiers, burned the headquarters and got off

with some 20 armalites in San Pablo City, which is about 80 kilometers away from where we are.

Last Sunday, Mr. Enrile told me — but I am sure he will deny this — that if the government continues the policy of coddling the communists and if General Ramos chooses to be wishy-washy, he can be rapidly isolated in his own army.

The young officers are already talking of "Remember Jakarta" as their future slogan. That was the signal written all over the world since Santiago de Chile before the uprising against Aliende. We will remember what happened in Indonesia in 1965, where after six generals of the Indonesian army were assassinated by the communists, the whole of Indonesia rose up, as though on signal, and massacred 600,000 of their own countrymen. This is probably a fallacious hope on the part of these young officers. There is a big difference. In 1965, the Indonesian PKI, the Partai-Komunist Indonesia, was the world's largest communist party but it had no army. They have forgotten that the CPP has an army.

I am taking advantage of this debate, therefore, Madam President, and also by way of laying the premise for my interpellation, to bring to the Commission's attention how people feel about the communist threat. Some of these reactions might be utterly irrational, but they do frame in some way our debate on the bases, neutrality and a nuclear-free territory. We debate on these issues in an atmosphere of nascent civil war, Madam President. For both sides, the bases are larger than life. They are code words for many differences, the sharpest, in the formulation of Commissioner Guingona, being that between democracy and communism. On the other hand, we know what is going on in the opposite camp. Part of the new freedom is that we can learn about the thinking of the CPP and the NDF through their own publications. The CPP, NPA and NDF have just concluded a massive self-criticism and rectification campaign arising from their boycott of the February election and the February revolution. Messrs. Baylosis and Salas have already said their mea culpa for this.

I would like to quote from a discussion paper written by Marte Villalobos, dated March 30, 1986, a sequel to his more famous piece, "Where the Party Faltered." He said the party, instead of missing the February election and the February uprising at EDSA, could have followed a two-stage scenario, a sort of wisdom by hindsight as follows, and I quote:

While the CPP-NDF were preparing for the leap, in the next few years, into the next substage of the strategic defensive, that is to say, the strategic counter offensive, the Marcos fascist regime was toppled in three months!

There can perhaps be no evidence more damning than this — that the Party was pursuing an incorrect strategy, that the Party's strategy was out of sync with concrete reality.

In a two-stage Philippine insurrectional movement, the first stage ends in an uprising or insurrection or a series of uprisings. Thousands are killed or captured. The anti-Marcos forces are unable to seize power, but the bloody repression polarizes the entire country and the left assumes undisputed leadership in the broad antidictatorship front. The second stage culminates in the downfall of the US-Marcos regime. A democratic coalition government (mainly of left and middle forces) is established under left leadership.